

providing for the implementation of the International Sugar Agreement, 1979; and H. Con. Res. 204, approving the extension of nondiscriminatory treatment to the products of the People's Republic of China.

The Committee also approved its Budget Allocation Report for fiscal year 1980.

SOVIET INTERNAL DEVELOPMENT

Permanent Select Committee on Intelligence: Subcommittee on Program and Budget Authorization, executive, continued hearings on Soviet internal developments. Testimony was heard from departmental witnesses.

Joint Committee Meetings

E.D.A. AUTHORIZATIONS

Conferees met to resolve the differences between the Senate- and House-passed versions of S. 914, authorizing funds for each of the next four fiscal years, through fiscal year 1983, for public works and economic development programs of the Economic Development Administration, but did not complete action thereon and will meet again tomorrow.

NATIONAL ENERGY SUPPLY

Conferees continued to resolve the differences between the Senate- and House-passed versions of S. 1308, to provide for the development of domestic energy supplies, but did not complete action thereon and will meet again tomorrow.

Friday, December 14, 1979

Senate

Chamber Action

Routine Proceedings, pages 36018-36157

Bills Introduced: Five bills and four resolutions were introduced, as follows: S. 2132-2136; S. Res. 314, S.J. Res. 126, and S. Con. Res. 62 and 63.

Pages 36124, 36130-36139

Bills Reported: Reports were made as follows:

S. 1991, authorizing funds for fiscal years 1980 and 1981 for programs administered by the Federal Trade Commission, with amendments (S. Rept. No. 96-500).

S. 1830, to provide for the establishment of an expanded and intensified research, development, and demonstration program on ocean thermal conversion

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(OTEC) within the Department of Energy, with an amendment (S. Rept. 96-501).

S. Res. 314, waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 1991, listed above. Referred to the Committee on the Budget.

S. 702, to establish a pretrial diversion program within the Department of Justice, with an amendment (S. Rept. No. 96-502).

H.R. 2584, to provide survivor benefits to certain dependent children under the Federal employee health benefit plans, with amendments (S. Rept. No. 96-503).

Page 36123

Measures Passed:

Deep seabed mineral resources: Senate passed S. 493, to promote the orderly and environmentally sound exploration for and commercial recovery of hard mineral resources of the deep seabed, after agreeing to the Matsunaga amendment No. 540, in the nature of a substitute.

Pages 36033-36087

Zimbabwe-Rhodesia: Committee on Foreign Relations was discharged from the further consideration of S. Res. 304, expressing the sense of the Senate with respect to commending the Government of the United Kingdom for creating a basis for peace in Zimbabwe-Rhodesia and the southern African region, and the resolution was agreed to.

Page 36096

American Legion incorporation: Senate passed S. 1874, to redefine eligibility for membership in the American Legion.

Page 36103

Private bills: Senate passed the following five private bills, S. 328, 883, H.R. 887, 2477, and 2531.

Pages 36103-36104

Indian tribe judgments: Senate passed with amendments, S.J. Res. 108, to validate the effectiveness of certain plans for use or distribution of funds to pay judgments awarded to Indian tribes.

Pages 36104-36105

Budget waiver: Senate agreed to S. Res. 288, waiving section 303(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 1648, authorizing funds through fiscal year 1985 for airport development aid programs under the Airport Airway Act.

Pages 36105-36106

Budget waiver: Senate agreed to S. Res. 300, waiving section 303(a) of the Congressional Budget Act of 1974 with respect to the consideration of H.R. 3398, to increase target prices for the 1980 crops of wheat and feed grains.

Page 36106

Budget waiver: Senate agreed to S. Res. 303, waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 2094, authorizing \$4 billion in loan guarantees to the Chrysler Corporation.

Page 36106

Windfall Profits: Senate continues consideration of H.R. 3919, to impose a windfall profit tax on domestic crude oil, taking action on additional amendments proposed thereto as follows:

Adopted:

(1) By 78 yeas to 13 nays, modified Robert C. Byrd unprinted amendment No. 877 to modified Ribicoff amendment No. 776, providing a graduated tax on certain oils. Page 36087

(2) By 52 yeas to 38 nays, modified Ribicoff amendment No. 776, providing a graduated tax on certain oil. Page 36091

(3) Domenici amendment No. 760, to apply the 15 percent residential energy tax credit to expenditures for airtight wood-burning stoves after July 15, 1979. Page 36092

(4) Matsunaga amendment No. 819, to allow a production tax credit for qualifying processed wood fuel and solid agricultural byproducts (to Nelson amendment No. 768). Page 36095

(5) Nelson amendment No. 768 (as amended by Matsunaga amendment No. 819), to allow a production tax credit for qualifying processed wood fuel. Page 36094

(6) Durkin amendment No. 838 (modified), to extend the residential energy credits to include wood burning furnaces and boilers which are part of central heating systems, and No. 850, to expand the financial assistance for lower income persons suffering increased energy costs to include the use of wood. Page 36098

(7) McClure amendment No. 595, to allow a tax credit for acquiring a qualified motor vehicle or the cost of converting a vehicle powered by an internal combustion engine to electricity. Page 36100

Also by 91 yeas to 4 nays, Senate agreed to a motion to instruct the Sergeant-at-Arms to compel the attendance of absent Senators. Page 36025

During consideration of this measure today, by 56 yeas to 39 nays, three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate failed to agree to motion to close further debate on this measure. Page 36025

A fourth motion to close further debate was entered, and in accordance with Senate Rule XXII, vote on such motion would occur at approximately 1:15 p.m., on Monday, December 17. Page 36157

Pages 36019–36026, 36030–36032,
36087–36103, 36157

N.Y./N.J. Compact: Senate receded from its amendment to H.R. 4943, to grant the consent of Congress to the compact between the States of New York and New Jersey providing for the financing and effectuation of industrial development projects, including related re-

source recovery facilities, by the Port Authority of New York and New Jersey, thus clearing the measure for the President. Page 36033

Energy Exposition: Senate insisted on its amendments to H.R. 5079, to provide for the U.S. participation in Energy-Expo 82 to be held in Knoxville, Tennessee, agreed to a conference with the House and appointed as conferees Senators Church, Pell, Javits, and Baker. Page 36113

FHA Loan Program: Senate agreed to the House amendment to S. 985, authorizing funds for fiscal years 1980–82 for the Farmers Home Administration real estate, operating, and natural disaster loan programs (not including funds for emergency disaster loan programs), with a Robert C. Byrd unprinted amendment No. 878, to authorize overall lending levels for the FmHA Farm and Rural Development Loan Programs, establish limitations on the amount of loans individual borrowers may receive under the emergency loan program, and make other improvements in the program.

Senate insisted on its amendment, requested a conference with the House and appointed as conferees Senators Talmadge, McGovern, Huddleston, Zorinsky, Helms, Hayakawa, and Jepsen. Pages 36106–36113

Presidential Messages: Senate received the following messages from the President:

(1) Transmitting the Fiscal Year 1978 Annual Report of the ACTION Agency. Referred to the Committee on Labor and Human Resources (PM-143); and

(2) Transmitting a study of the feasibility of adding the Cahaba River in Alabama to the National Wild and Scenic Rivers system. Referred to the Committee on Energy and Natural Resources (PM-144). Page 36122

Confirmations: Senate confirmed the following nominations:

Eckardt C. Beck, of New Jersey, to be an Assistant Administrator of the Environmental Protection Agency;

Carolyn L. Attneave, of Washington, to be a Member of the National Advisory Council on Women's Education Programs;

Michael B. Smith, of Maryland, to be a Deputy Special Representative for Trade Negotiations, with the rank of Ambassador;

Henry H. Kennedy, Jr., and Frank E. Schwelb, each to be an Associate Judge of the Superior Court of the District of Columbia;

Theodore C. Lutz, of Virginia, to be Urban Mass Transportation Administrator;

William G. Bowdler, of Florida, to be an Assistant Secretary of State;

Donald R. Toussaint, of Virginia, now Ambassador to the Democratic Socialist Republic of Sri Lanka, to

serve concurrently as Ambassador to the Republic of Maldives;

Mabel M. Smythe, of Connecticut, now Ambassador to the United Republic of Cameroon, to serve concurrently as Ambassador to the Republic of Equatorial Guinea;

H. Carl McCall, of New York, to be the Alternate Representative for Special Political Affairs in the United Nations, with the rank of Ambassador; and

Routine list of Coast Guard nominations.

Pages 36170-36171

Nominations: Senate received the following nominations:

James W. Spain, of California, to be Ambassador to Turkey;

Luther H. Hodges, Jr., of North Carolina, to be Deputy Secretary of Commerce;

Henry Woods, to be U.S. District Judge for the Eastern District of Arkansas;

Paul A. Ramirez, to be U.S. District Judge for the Eastern District of California;

Richard W. Arnold, of Arkansas, to be U.S. Circuit Judge for the Eighth Circuit; and

Routine list of Air Force nominations.

Pages 36157-36170

Legislative Program: Leadership discussed Senate's legislative program.

Pages 36156-36157

Messages From the President:

Page 36122

Messages From the House:

Pages 36122-36123

Bills Referred:

Page 36123

Communications:

Page 36123

Statements on Introduced Bills:

Pages 36124-36130

Amendments Submitted for Printing:

Pages 36139-36141

Notice of Committee Hearings:

Page 36141

Additional Statements:

Pages 36141-36156

Nominations:

Pages 36157-36170

Confirmations:

Pages 36170-36171

Change of Referral:

Page 36124

Record Votes: Four record votes were taken today (Total—483).

Pages 36025, 36090, 36091

Quorum Call: One quorum call was taken today (Total—17).

Page 36024

Recess: Senate met at 12 noon, and recessed at 7:14 p.m.

Committee Meetings

DEFENSE BUDGET

Committee on Armed Services: Committee concluded hearings to review the 1981 defense budget and highlights of a proposed five-year defense budget, after receiving further testimony from Harold Brown, Secretary of Defense.

INTERNATIONAL FINANCIAL CONDITIONS

Committee on Banking, Housing and Urban Affairs: Subcommittee on International Finance concluded oversight hearings to review the world economic situation, focusing on the European markets, international debt, the economic effect of oil price increases, and the evolution of the international monetary system, after receiving testimony from Henry C. Wallich, Member, Board of Governors, Federal Reserve System; Dennis Weatherston, Morgan Guaranty Trust Company, New York City; Hella Junz, First National Bank, Chicago, Illinois; Anthony Scaperlanda, University of Texas, Austin; and Benjamin J. Cohen, Tufts University, Medford, Massachusetts.

LASERS

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space resumed hearings in open and closed session on the scope of laser research and technology, focusing on the principal applications of lasers and future expectations from lasers, receiving testimony in closed session from Douglas H. Tanimoto, Assistant Director, Strategic Technology Office, Defense Advanced Research Projects Agency, and J. Richard Airey, Director, Directed Energy Technology, and George Gamota, Assistant for Research, both of the Office of the Under Secretary of Defense for Research and Engineering, all of the Department of Defense; and Gregory H. Canavan, Director, Inertial Confinement and Fusion, Department of Energy; and in open session from George F. Smith, Hughes Research Laboratories, Culver City, California; and Edward Gerry, W. J. Schafer Associates, Inc., Arlington, Virginia.

FOREIGN SERVICE

Committee on Foreign Relations: Subcommittee on Arms Control, Oceans, International Operations and Environment began hearings on S. 1450, to improve and simplify the personnel system of the foreign service by linking the granting of career tenure, promotions, compensation and performance pay more closely to the quality of performance, by creating a Senior Foreign Service, by limiting foreign service career status to those who accept the discipline of service overseas, by reducing the number of personnel categories, and by establishing a Foreign Service Labor Relations Board and a Foreign Service Impasse Disputes Panel, receiving testimony from Robert Stern, American Foreign Service Association, Kenneth Blaylock, American Federation of Government Employees, Lesley Dorman, Association of American Foreign Service Women, Cecil H. Uyehara, Asian and Pacific American Federal Employees Council, Martin F. Herz, Sheldon B. Vance, and Cyn-

thia A. Thomas, all of Washington, D.C.; and Smith Simpson, Annandale, Virginia.

Hearings continue on Wednesday, December 19, 1979.

ILLEGAL NARCOTICS PROFITS

Committee on Governmental Affairs: Permanent Subcommittee on Investigations concluded hearings to examine the size, nature, and economic impact of profits made from illegal narcotics trafficking, after receiving testimony from Jerome Kurtz, Commissioner, Singleton B. Wolf, Assistant Commissioner for Compliance, Lester Stein, Deputy Chief Counsel, and Thomas Clancy, Chief of Internal Investigations, all of the Internal Revenue Service, Department of the Treasury; and Jack Key, Subcommittee staff investigator.

NOMINATION

Committee on the Judiciary: Committee concluded hearings on the nomination of Ira M. Schwartz, of Washington, to be Associate Administrator of Law Enforcement Assistance, Department of Justice, after the nominee testified and answered questions in his own behalf. Testimony was also received from Hallem Williams, National Association of Blacks in Criminal Justice, and Robert Woodson, both of Washington, D.C.

NOMINATION

Committee on Labor and Human Resources: Committee concluded hearings on the nomination of William A. Lubbers, of Maryland, to be General Counsel of the National Labor Relations Board, after the nominee, who was introduced by Senator Sarbanes, testified and answered questions in his own behalf. Testimony was also received from John H. Fanning, Chairman, National Labor Relations Board; Edward B. Miller, Chicago, Illinois; Peter D. Walther, Bala Cynwyd, Pennsylvania; Frank McCulloch, Charlottesville, Virginia; Arnold Ordman, Bethesda, Maryland; Thomas G. S. Christensen, New York University, New York City; Stephen B. Goldberg, Harvard University, Cambridge, Massachusetts; and Herbert E. Markley, Timken Company, Canton, Ohio, representing the National Association of Manufacturers, James C. Paras, San Francisco, California, representing the Chamber of Commerce of the United States, and Peter G. Nash, all of Washington, D.C.

House of Representatives

Chamber Action

Bills Introduced: 14 public bills, H.R. 6142-6155; and 1 private bill, H.R. 6156 were introduced.

Pages 36212-36213

Report Filed: One report was filed as follows: Report by the Committee on Armed Services entitled "Allocation of Budget Authority and Outlays by Major Program" (H. Rept. 96-707).

Page 36212

Journal: By a ye-and-nay vote of 255 yeas to 14 nays with 2 voting "present", Roll No. 731, the House approved the Journal of Thursday, December 13.

Page 36171

Late Report: Objection was heard to a unanimous-consent request that the Committee on Ways and Means be permitted to file a report by midnight Friday, January 18, on H. Con. Res. 204, approving the extension of nondiscriminatory treatment to the products of the People's Republic of China.

Page 36180

Anti-Recession Fiscal Assistance: House completed all general debate and began reading for amendment on H.R. 5980, to authorize a program of fiscal assistance during economic recessions and to authorize a program of targeted fiscal assistance; but came to no resolution thereon. Proceedings under the 5-minute rule will continue at a later date.

By a ye-and-nay vote of 272 yeas to 79 nays, Roll No. 735, the House agreed to resolve itself into the Committee of the Whole.

Agreed To:

On a division of the question, the first four of five technical amendments; and the fifth technical amendment (agreed to by a recorded vote of 245 yeas to 97 noes, Roll No. 738);

An amendment that reduces the targeted fiscal assistance authorization from \$250 million to \$150 million (agreed to by a recorded vote of 184 yeas to 153 noes, Roll No. 739); and

An amendment that extends the coverage of the bill to the Northern Mariana Islands.

H. Res. 506, the rule under which the bill is being considered, was agreed to earlier by a ye-and-nay vote of 240 yeas to 115 nays, Roll No. 733. Agreed to table a motion to reconsider by a ye-and-nay vote of 242 yeas to 107 nays, Roll No. 734.

Earlier, by a ye-and-nay vote of 271 yeas to 83 nays with 1 voting "present", Roll No. 732, agreed to order the previous question on the rule.

Pages 36180-36199

Christmas Cards to Hostages: House agreed to H. Con. Res. 224, expressing the sense of the Congress that the American people should immediately send Christmas cards to the hostages being held in the United States Embassy in Tehran as an indication of our concern for their welfare and our support for the Government of the United States as it seeks to rescue their release.

Pages 36199-36200

Receive and Sign: Agreed that, notwithstanding the adjournment of the House until Monday, December 17, the Clerk be authorized to receive messages from the

Senate, and the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled. Page 36201

Calendar Wednesday: Agreed to dispense with Calendar Wednesday business of December 19. Page 36202

Presidential Messages: Received and read the following messages from the President:

ACTION: Transmitting the fiscal year 1978 annual report of the ACTION Agency—referred to the Committee on Education and Labor and the Committee on Foreign Affairs; and

Cahaba River: Transmitting the study of the feasibility of adding the Cahaba River in Alabama to the National Wild and Scenic Rivers system—referred to the Committee on Interior and Insular Affairs. Page 36202

Adjournment: Adjourned at 2:39 p.m.

Committee Meetings

CONSUMER PRICE INDEX

Committee on the Budget: Task Force on Inflation held a hearing to study whether the Consumer Price Index overstates the inflation rate because of the method by which housing costs are calculated. Testimony was heard from Commissioner, Bureau of Labor Statistics, Janet L. Norwood and specialist, Inflation Impact Unit, Congressional Budget Office, Lawrence DeMilner.

Joint Committee Meetings

E.D.A. AUTHORIZATIONS

Conferees continued to resolve the differences between the Senate- and House-passed versions of S. 914, authorizing funds for each of the next four fiscal years, through fiscal year 1983, for public works and economic development programs of the Economic Development Administration, but did not complete action thereon and recessed subject to call.

NATIONAL ENERGY SUPPLY

Conferees continued to resolve the differences between the Senate- and House-passed versions of S. 1308, to provide for the development of domestic energy supplies, but did not complete action thereon and will meet again on Monday, December 17.

ENERGY PRODUCTION

Conferees continued to resolve the differences between the Senate- and House-passed versions of S. 932, authorizing funds to establish the production of synthetic fuels, gasohol, solar energy, renewable resources, and geothermal energy, and to establish an energy conservation program and energy supply targets, but did not com-

plete action thereon and will meet again on Monday, December 17.

Saturday, December 15, 1979

Senate

Chamber Action

Routine Proceedings, pages 36239–36359

Bills Introduced: Four bills and one resolution were introduced, as follows: S. 2137–2140; and S. Res. 315.

Pages 36266–36267, 36330

Bill Reported: Report was made as follows:

H.R. 2297, to continue until June 30, 1982, the existing suspension of duties on synthetic rutile, with amendments (S. Rept. No. 96–504). Pages 36329–36330

Measure Passed:

Hostages release and worship: By a unanimous vote of 93 yeas, Senate agreed to S. Res. 315, calling upon the followers of Islam throughout the world to prevail upon their brethren to immediately release the Americans being held hostage in Iran; and, until such time as they are set free, to allow them to worship in accordance with their religious faiths, and to allow clergy of their faiths to minister to them. Pages 36266–36267

Windfall Profits: Senate continues consideration of H.R. 3919, to impose a windfall profit tax on domestic crude oil, taking action on amendments proposed thereto as follows:

Adopted:

(1) Nelson amendment No. 812, providing incentives for the development and construction of solid waste disposal facilities for the production of usable energy. Page 36273

(2) Dole unprinted amendment No. 879, to retain the current exemption from tax for gasohol, and to provide a nonrefundable credit for certain alcohol (to Magnuson amendment No. 837). Page 36278

(3) Magnuson amendment No. 837, DIVISION II of unprinted amendment No. 843, relating to alcohol fuels (modified) (as amended by Dole unprinted amendment No. 879). Page 36276

(4) Packwood amendment No. 820, to modify the provisions for tax-exempt bonds for hydroelectric power generating projects. Page 36289

(5) Modified Bumpers amendment No. 1039, to require certain importers of petroleum and petroleum products to file reports with the Department of Energy. Page 36293

(6) Modified Moynihan amendment No. 723, techni-